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FEDERAL COMMUNICATIONS
COMMISSION
OFFICE OF SECRETARY

April 24, 1997

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Comments in Petition for Rulemaking
File No. RM-9060
Amendment of Parts 21 and 74 to Enhance the
Ability of Multipoint Distribution Service and
Instructional Fixed Television
Service Licensees to Engage In Fixed
Two-Way Transmissions

Dear Mr. Caton:

Transmitted herewith on behalf of the University of North Carolina are its Comments in the above-referenced Rulemaking proceeding. Please serve any filings in this proceeding on the undersigned at the above address.

Should you have any questions concerning this matter, please do not hesitate to contact us.

Very truly yours,


Robyn G. Nietert

RGN:yk

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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Amendment of Parts 21 and 74)
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Service Licensees to Engage In Fixed)
Two-Way Transmissions)

FEDERAL COMMUNICATIONS
COMMISSION
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File No. RM-9060

To: The Commission

COMMENTS

The University of North Carolina ("Commenter") hereby submits these comments in support of the proposals in the Petition for Rulemaking filed on March 14, 1997 by the Wireless Cable Association International, Inc. ("WCA"), many major wireless cable system operators, Multipoint Distribution Service ("MDS") and Instructional Television Fixed Service ("ITFS") licensees, MDS Basic Trading Area ("BTA") authorization holders, wireless cable engineering consultants and equipment manufacturers (collectively "Petitioners") ("Petition").

Commenter has a pending application before the Federal Communications Commission for authorization to operate ITFS facilities in North Carolina. In conjunction with Wireless One of North Carolina, L.L.C. ("WONC"), Commenter's ITFS facilities will be part of an integrated wireless cable system serving schools and individual subscribers throughout the state.²⁵

²⁵Wireless One of North Carolina, L.L.C. is one of the Petitioners in this proceeding.

Commenter supports the proposed revisions to Parts 21 and 74 of the Commission's Rules which will permit MDS and ITFS licensees to provide digital two-way services over their frequencies and agrees with the Petitioners that such revisions will enhance the services offered by MDS and ITFS licensees by enabling them to provide Internet access and other two-way communications service offerings. Petition at 2. The additional flexibility will enable Commenter to better meet the technological needs of its students and the community. For example, this flexibility will give Commenter the ability to use its ITFS facilities for video transmissions, two-way transmissions, or a combination of both, depending on which format will best serve the needs of its students and local area residents. Such flexibility is invaluable to educational institutions and the communities they serve.

Commenter also agrees with Petitioners that ITFS licensees should be given the flexibility to satisfy their minimum programming requirements on other channels besides those for which they are licensed. Petition at 40. Such flexibility will be especially useful to Commenter as it intends to be a participant in a wide-area integrated system.

Further, Commenter is entitled to receive revenues under its lease agreement with WONC, based upon the number of subscribers to WONC's commercial wireless cable system. A system that is able to offer both video programming and two-way digital communications will attract more subscribers, thereby increasing its overall revenue and, in turn, increasing the fees due to Commenter.


Commenter will be able to use this additional income to provide much needed services for its students.

The Commission should adopt the proposed revisions to Parts 21 and 74 of the rules to allow two-way digital communications over the MDS and ITFS frequencies. Adoption of the rules will give MDS and ITFS licensees as well as wireless cable operators the flexibility they need to be competitive in the telecommunications marketplace.

Respectfully submitted,

THE UNIVERSITY OF NORTH CAROLINA

By:


Mr. Lee Culpepper
Special Assistant to the President
P.O. Box 2688
Chapel Hill, NC 27515-2688

DATE:

4/21/97